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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

STOYNOV, STEFAN

ART UNIT

PAPER NUMBER

2116

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/715,526	Applicant(s) MORISAWA ET AL.	
	Examiner Stefan Stojnov	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11-13, 15 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 5-10, 14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/19/03, 3/31/06</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

Claim 20 is objected to because of the following informalities:

Claim 20 recites the limitation "the associating profile" in line 10. There is insufficient antecedent basis for this limitation in the claim. Replacing the phrase "the associating profile" with "the corresponding profile" is suggested.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites the limitation "the profile" in lines 6-7, and 16. Similarly, the limitation "the several profiles" is recited in lines 11-12. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 11-13, 15, and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Thelander et al., US Patent Appl. Pub. No. 2003/0009705.

Re claim 1, Thelander discloses an electric apparatus comprising:

a storage unit storing profiles for managing system operating environment items (paragraph 0038, lines 9-11, FIG. 3, 313);

a settling unit configured to set a time zone capable of executing the system operation in accordance with the profiles (paragraph 0007, lines 1-11, paragraph 0022, lines 7-11, paragraph 0025, lines 5-8, paragraph 0032, lines 1-9, paragraph 0038, lines 14-19, paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-3, FIG. 3, 307, FIG(s) 4 and 5); and

a control unit configured to carry out system operation based on the profile corresponding to the time zone set by the setting unit (paragraph 0037, lines 8-18, paragraph 0038, lines 11-13, paragraph 0040, lines 1-13, FIG. 3, 305).

Re claim 2, Thelander further discloses the apparatus, further comprising:

a profile setting unit configured to set the system operating environment items set in each of the profiles (paragraph 0044, line 1 – paragraph 0045 line 17, FIG. 4).

Re claim 3, Thelander further discloses the apparatus, further comprising:

an effective period setting unit configured to set an effective period predetermined by the setting unit (paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-25, FIG(s) 4 and 5).

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Re claim 4, Thelander further discloses the apparatus, wherein the apparatus is powered by an external power source or a battery chargeable by the external power source (FIG. 4),

a first profile of the profiles includes a setup item for driving the electronic apparatus by the battery in a first time zone set by the setting unit (paragraph 0045, lines 10-17, FIG. 4), and

the control unit drives the electronic apparatus by the battery in the first time zone set based on the first profile (paragraph 0046 line 1 –paragraph 0046, line 25, FIG. 5).

Re claim 11, Thelander discloses an electronic apparatus comprising:

a first setting unit configured to set a system operating environment (paragraph 0024, lines 6-11, paragraph 0038, lines 7-9, paragraph 0065, lines 14-16, paragraph 0074, lines 1-22, paragraph 0075, lines 1-12, FIG(s) 8 and 9);

a storage unit storing several profiles of managing contents of setup items set by the first setting unit (paragraph 0067, lines 1-2, 13-16, lines 19-22, FIG. 3, 329);

a second setting unit configured to set several time zones (paragraph 0082, lines 1-12, paragraph 0083, lines 1-20, paragraph 0084, lines 1-9, FIG(s) 10 and 11);

a third setting unit configured to select an arbitrarily corresponding profile from several profiles in accordance with each time zone set by the second setting unit (paragraph 0007, lines 1-11, paragraph 0022, lines 7-11, paragraph 0025, lines 5-8, paragraph 0032, lines 1-9, paragraph 0038, lines 14-19, paragraph

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0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-3, FIG. 3, 307, FIG(s) 4 and 5); and

a control unit configured to control a system operation based on a system environment setting changeover profile associated by the third setting unit in accordance with the time zone set by the second setting unit (paragraph 0025, lines 8-12, paragraph 0037, lines 8-18, paragraph 0038, lines 7-13, paragraph 0040, lines 1-13, paragraph 0046, lines 1-25, paragraph 0047, lines 1-45, paragraph 0048, lines 1-11, paragraph 0053, lines 1-9, FIG. 3, 305, FIG. 5).

Re claim 12 Thelander further discloses the apparatus, further comprising:

a forth setting unit configured to set an effective period set by the second and the third setting unit (paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-25, paragraph 0098, lines 1-28, FIG(s) 4 and 5).

Re claim 13, Thelander further discloses the apparatus, wherein the apparatus is powered by an external power source or a battery chargeable by the external power source (FIG. 4),

a first profile of the profiles includes a setup item for driving the electronic apparatus by the battery in a first time zone set by the second setting unit (paragraph 0045, lines 10-17, FIG. 4), and

the control unit drives the electronic apparatus by the battery in the first time zone set based on the first profile (paragraph 0046 line 1 –paragraph 0047, line 25, FIG. 5).

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Re claim 15, Thelander further discloses the apparatus according to claim 13, wherein a second profile of the several profiles includes a setup time for driving the electronic apparatus by the external power source in a second time zone set by the second setting unit (paragraph 0045, lines 1-10, FIG. 4), and the control unit drives the electronic apparatus by the external power source in the second time zone set based on the second profile (paragraph 0046 line 1 –paragraph 0047, line 25, FIG. 5).

Re claim 19, Thelander discloses a method of setting a system environment of an electronic apparatus, comprising:

storing profiles for managing contents of system operating environment (paragraph 0038, lines 9-11, FIG. 3, 313);

storing setup of time zone carrying out a system operation corresponding to a profile (paragraph 0007, lines 1-11, paragraph 0022, lines 7-11, paragraph 0025, lines 5-8, paragraph 0032, lines 1-9, paragraph 0038, lines 14-19, paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-3, FIG. 3, 307, FIG(s) 4 and 5); and

carrying out the system operation based on the profile in accordance with the time zone (paragraph 0037, lines 8-18, paragraph 0038, lines 11-13, paragraph 0040, lines 1-13, FIG. 3, 305).

Re claim 20, Thelander discloses a method of setting a system environment of an electronic apparatus, comprising:

setting a system operating environment setting item (paragraph 0024, lines 6-11, paragraph 0065, lines 14-16)

setting a time zone (paragraph 0082, lines 1-12, paragraph 0083, lines 1-20, paragraph 0084, lines 1-9, FIG(s) 10 and 11);

selecting an arbitrarily corresponding profile from several profiles in accordance with each time zone (paragraph 0074, lines 1-22, paragraph 0075, lines 1-12, FIG(s) 8 and 9); and

carrying out a system environment setting changeover using the associating profile in accordance with the setting time zone paragraph (0038, lines 7-13, paragraph 0040, lines 1-18, paragraph 0048, lines 1-6, paragraph 0053, lines 1-9).

Re claim 21, Thelander discloses a computer readable recording medium recording programs for operating a computer capable of setting several system environment setting items as the following functional unit:

a storage unit storing profiles for managing setup contents of a system environment setting item (paragraph 0038, lines 9-11, FIG. 3, 313);

a setting unit configured to set a time zone corresponding to the profiles paragraph 0007, lines 1-11, paragraph 0022, lines 7-11, paragraph 0025, lines 5-8, paragraph 0032, lines 1-9, paragraph 0038, lines 14-19, paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-3, FIG. 3, 307, FIG(s) 4 and 5); and

a control unit configured to carry out a system environment setting changeover using the profiles in accordance with the time zone set by the setting

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unit (paragraph 0037, lines 8-18, paragraph 0038, lines 11-13, paragraph 0040, lines 1-13, paragraph 0053, lines 1-9, FIG. 3, 305).

Re claim 22, Thelander discloses a computer readable recording medium recording programs for operating a computer capable of setting several system environment setting items as the following functional unit:

a first setting unit configured to set contents of a system environment setting item in each of the profile (paragraph 0024, lines 6-11, paragraph 0038, lines 7-9, paragraph 0065, lines 14-16, paragraph 0074, lines 1-22, paragraph 0075, lines 1-12, FIG(s) 8 and 9);

a second setting unit configured to set a time zone (paragraph 0082, lines 1-12, paragraph 0083, lines 1-20, paragraph 0084, lines 1-9, FIG(s) 10 and 11);

a third setting unit configured to select an arbitrarily corresponding profile from the several profiles in accordance with each time zone set by the second setting unit (paragraph 0007, lines 1-11, paragraph 0022, lines 7-11, paragraph 0025, lines 5-8, paragraph 0032, lines 1-9, paragraph 0038, lines 14-19, paragraph 0040, lines 13-18, paragraph 0041, lines 1-12, paragraph 0042, lines 1-5, paragraph 0046, lines 1-25, paragraph 0047, lines 1-3, FIG. 3, 307, FIG(s) 4 and 5); and

a control unit configured to control a system operation based on a system environment setting changeover using the profile associated by the third setting unit in accordance with the time zone set by the second setting unit (paragraph 0025, lines 8-12, paragraph 0037, lines 8-18, paragraph 0038, lines 7-13,

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paragraph 0040, lines 1-13, paragraph 0046, lines 1-25, paragraph 0047, lines 1-45, paragraph 0048, lines 1-11, paragraph 0053, lines 1-9, FIG. 3, 305, FIG. 5).

Allowable Subject Matter

Claims 5-10, 14, and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Re claims 5 and 14, the prior art of record fails to disclose or suggest the subject matter of claims 4 and 13, accordingly, further comprising “the indicator unit shows that a power supply from the external power source is stopped when the electronic apparatus is driven by the battery based on the first profile”.

Re claim 6, the prior art of record fails to disclose or suggest the subject matter of claim 1, wherein “driving the electronic apparatus by the external power source in a first time zone set by the setting unit, and inhibiting the charge of the battery”.

Re claims 8 and 16, the prior art of record fails to disclose or suggest the subject matter of claim 1, wherein “the electronic apparatus to give priority to the use of the battery rather than the use of the external power source in a first time zone” and “drives it by the external power source when a residual capacity of the battery becomes less than a predetermined residual capacity”.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Stoynov whose telephone number is (571) 272-4236. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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